

BEFORE THE

Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Jansky-Barmat Telecommunications, Inc.)	
Requests the Commission to modify its)	RM -11351
Rules to implement the results of)	
WRC-03 in the band 13.75-14.00 GHz)	

To: The Commission

NASA Reply Comments of Jansky-Barmat Telecommunications to the

Respectfully Submitted,

By: Donald M. Jansky

On Behalf of Hispasat

S.A.

1.0 Introduction

These comments are made with respect to the comments of NASA/Headquarters in regard to the Jansky-Barmat Petition for Rule Making, RM-11351, dated 17 January 2007.

NASA has expressed concern about the need for protection of its TDRSS network capability, and the necessity for retaining the provisions of US337, and the power limits in No.5.503 of the Radio Regulations. These comments are intended to address these concerns and provide assurances to NASA that the rules referenced in the Petition can be implemented without jeopardizing NASA's capabilities.

2.0 NASA Concerns

In its filing NASA has summarized its concerns with the Petition as:

- Authorization of ubiquitous v-sat earth stations under a blanket licensing regime which could increase the probability of causing interference to important NASA receive earth stations which operate in the band 13.75-14.0. GHz
- Maintaining footnote US337 which requires coordination with government agencies, and the status of TDRSS filings made before 1992,
- Ensuring protection of several TDRSS earth station capabilities located or to be located in White Sands, Guam and the Eastern part of the U.S.

3.0 Comments

The referenced Petition is initiated to implement the intent of the results of the last World Radiocommunication Conference (WRC), and is not intended to adversely impact the very important space capabilities operated by NASA in the band 13.75-14.0 GHz. The petitioners are mindful of the extensive

expenditure and longevity of operation of these facilities and want to assure NASA that if the proposed rule changes do not adequately provide the regulatory basis to ensure the necessary protection for these facilities such protection should certainly be included.

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To address these concerns, the following observations are offered:

a. First, the Petition does not propose to suppress footnote US 337, and to this end it is envisioned that it should be maintained. Indeed, as rules are developed it is expected that discussions would be held with NASA to ensure the necessary protections.

b. To address NASA concerns regarding protection of its TDRSS earth stations in existing and planned locations in the U.S. and its territories it is proposed that separation distances or protection zones would be established using long established methodologies. Such would provide protection much like the protection now afforded Radio Astronomy sites in certain allocations through specification of the coordinates of the stations to be protected.

c. The NASA comments indicate that the power density limits in 5.503 must be applied to v-sats in the band 13.75-13.8 GHz. A reading of the texts in both the existing No. 5.503, and that modified by WRC-03 indicates that the power density limits apply to the band 13.72-13.78 GHz. NASA spectrum experts were involved and participated in the development of these regulations. It is not the intention of the Petition to modify them in a way contrary to NASA wishes. It would seem appropriate to use the language of the WRC-03 result.

d. NASA is to be complemented on the longevity of its TDRSS satellites as they must now be close to 15 years old or more. NASA at bullet six (6) of its Executive Summary states that the Petition has a "mischaracterization"

of the “secondary status “ of the SRS. This is true for satellites brought into use on the basis of Advance Publication filings made before 31 January 1992 according to the provisions of No. 5.503.

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4.0 Summary

The Petition to implement the results the WRC-03 results in the band 13.75-14.0 GHz is intended to provide a basis for supporting the public interest through the making available of spectrum which would allow earth stations as small as 1.2m. As evidenced by the record of the comments to the Commission’s request for comment on the Petition, there is broad support in the private sector for implementing such rules.

As indicated above, the Petition does not intend to undermine the protection of the existing and planned applications of NASA in the Space Research Service in this band.

Further as suggested herein, it is expected that through the maintenance of protection zones around the TDRSS earth stations, adherence to 5.503 and US 337 the necessary protection will be provided. Finally, it is envisioned that as rules are developed a priori discussions with NASA will ensure this result.

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